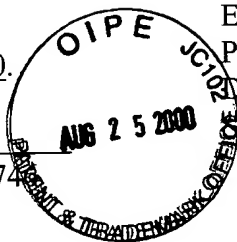


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Gerard H. Bencen
Gerard H. Bencen, Patent Attorney, Reg. 35,741



AMENDMENT UNDER 37 C.F.R. 1.111
Examining Group 1633
Patent Application
Docket No. AdVec9
Serial No. 09/286,874

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Nguyen, D.
Art Unit : 1633
Applicants : Graham et al.
Serial No. : 09/286,874
Docket No. : AdVec9
Filed : April 6, 1999
For : USE OF HELPER-DEPENDENT ADNEOVIRAL
VECTORS OF ALTERNATIVE SEROTYPES PERMITS
REPEAT VECTOR ADMINISTRATION

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT; PETITION AND FEE FOR A ONE-
MONTH EXTENTION OF TIME

09/28/2000 HPRAGAE0 00000143 09286874

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Sir:

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In response to the Office Action dated June 21, 2000, in which the claims as filed in the captioned application were subjected to a Restriction Requirement between Group I, claims 1-4, 8, 9, 13 and 14, and Group II, claims 5-7 and 10-12, Applicant hereby elects to prosecute the claims of Group I, with traverse.

The traverse in the instant case is based on the evident relatedness of the subject matter of the two groups of claims, such that searching the claims of the first group of claims will necessarily lead the Examiner to consider similar art to determine the patentability of each set of claims. Furthermore, while the Examiner alleges that "the adenoviral vector of Invention I are not limited in the processes cited in Invention II and can be used for in

vitro cell transfection assay and/or production of stocks of replication defective adenoviral particles", it is urged that these claims should nonetheless be examined in the same application and issued to patent at the same time. In this manner, the public would be best put on notice as to the subject matter that the applicant considers to be their invention, and the metes and bounds of the patented technology will be most evident.

From the preceding remarks, Applicants believe that the currently pending claims are in a condition for allowance, and such action is respectfully requested.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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